



Wisconsin Department of Natural Resources
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Wisconsin Department of Natural Resources

Public Hearings and Meetings

June 14-20 , 2009

Pursuant to the Americans with Disabilities Act, reasonable accommodations, including the provision of informational material in an alternative format, will be provided for qualified individuals with disabilities upon request. Please call the contact person listed for the meeting or hearing with specific information on your request before the date of the scheduled hearing.

DNR Public Hearings and Meetings are also available on the DNR Web site at

<http://dnr.wi.gov/org/caer/ce/news/hearmeet.html>

Hearings

June 15 - A public informational hearing for a Chapter 30 permit application by the City of New Berlin for a proposed South Branch of Underwood Creek Rehabilitation project will be held at 10 a.m. at the City of New Berlin city hall at 3805 South Casper Drive, **New Berlin**. The city proposes to change the stream course, to construct four temporary culverts, to disturb more than 10,000 square feet on the bank of, and to place structures (riprap and bed materials) on the bed and bank of South Branch of Underwood Creek in the City of New Berlin, Waukesha County. The city is also seeking water quality certification for a wetland under section 401 of the Clean Water Act. Agents of the applicant will describe project and then public will be given a chance to comment on project. For more information contact Rachel Sabre at 414-263-8601.

July 14 - A contested case hearing in the matter of the application of the Racine County Drainage District to modify the order setting water levels or flows on Wind Lake, Town of Norway, Racine County will commence at 10 a.m., in Room 151 at the Racine County Courthouse, 730 Wisconsin Avenue, Racine. It will continue, if necessary, on July 15, 2009, at the same location. For information contact the Division of Hearings and Appeals at (608) 266-7709.

July 16 - Pursuant to Wis. Stat. §§ 227.43 and 227.44, 30.121, 30.15, 30.03(4)(a) and Wis. Admin. Code NR 325.03 a Class 2 contested case public hearing will be held at 8:30 a.m. in the Office at the Port Wing Town Hall, 83030 Grand Avenue, **Port Wing**, in the matter of the abatement action on the motion of the Department of Natural Resources to remove an alleged fixed houseboat owned by Dennis V. Miller and located on Lake Superior at the Port Wing Marina in the Town of Port Wing, Bayfield County, Wisconsin. The hearing may result in issuance of an order requiring removal of the houseboat and directing Miller to perform such acts as may be necessary to fully protect and effectuate the interests of the public in these navigable waters. From approximately 1999 to 2001, Dennis V. Miller (Mr. Miller) constructed a houseboat that was located on upland during this time. On or about September 2001, Miller placed the houseboat on Lake Superior at the Port Wing Marina located in the Town of Port Wing. The houseboat extends into the Port Wing Marina waterway beyond the ordinary high watermark, and Port Wing Marina waterway which leads via a channel to Lake Superior is navigable waterbody.

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Wis. Stat. § 30.121 prohibits a fixed houseboat from being constructed and placed beyond the ordinary high water mark of any navigable waterway, after December 16, 1979 and authorizes the DNR to order the owner of a fixed houseboat which extends beyond the ordinary high-water mark of any navigable waterway and which is a material obstruction to navigation to remove the fixed houseboat from the waterway. Based on the above factors, the DNR is asking the Division of Hearings and Appeals to issue an order directing Mr. Miller to remove the fixed houseboat in its entirety from Lake Superior's Port Wing Marina within 30 days of issuance of an Order. For information contact the Division of Hearings and Appeals at (608) 266-7709.

June 16 - Pursuant to § 285.13(1), Wis. Stats., the Department of Natural Resources will hold a public informational meeting to review its ambient air quality monitoring network throughout Wisconsin at 9:30 a.m., Room 713, of the State Natural Resources Building (GEF 2), 101 South Webster St., **Madison**. In 1981 the U.S. Environmental Protection Agency approved a portion of the Wisconsin State Implementation Plan for the Clean Air Act monitoring plan dealing with air quality surveillance, which is required by Parts 51 and 58 of Title 40 of the Code of Federal Regulations. That monitoring plan presented a detailed scheme for ambient air quality monitoring, including a detailed proposal for a comprehensive network of ambient monitors throughout Wisconsin. In addition, the department proposed to conduct an annual review of the monitoring network and to notify the public of significant changes in the network by conducting a public informational meeting. This meeting will review the changes that occurred in 2009 and will present an outline of changes proposed for 2010. An explanation will be provided for each deviation from the previous year's plan as well as the proposed changes. Public comments on the changes will also be received at the informational meeting. Written comments on the monitoring network may be submitted directly to Bart Sponseller, c/o Air Monitoring Section, DNR Bureau of Air Management, PO Box 7921, Madison, WI 53707, no later than June 23, 2009. Written comments will have the same weight and effect as oral comments presented at the meeting. The complete public meeting notice along with proposed revisions to the Monitoring Plan is available for public inspection on the Annual Air Quality Monitoring Network Review page of the DNR Web site [<http://dnr.wi.gov/air/monitor/netreview.htm>] and at the Bureau of Air Management, 7th Floor, 101 S. Webster Street, Madison or by mail (at no charge) from Bart Sponseller at the address noted above. For information contact Bart Sponseller at 608-266-1058.

June 17 - Pursuant to §§ 285.13(1) and 285.61(7), Wis. Stats., the DNR will hold a public hearing to receive public comments on the proposed air construction and operation permits and permit revisions from Murphy Oil. The public hearing will be held at 1 p.m. at the Superior Public Library, Class Room, 1530 Tower Ave., **Superior**. Murphy Oil USA, 2407 Stinson Ave., Superior, Douglas County, Wisconsin, submitted a permit application, including plans and specifications for construction and operation of a benzene splitter, additional railcar loadout facilities and modifications to refining processing units. (Air pollution construction permit no. 09-SDD-039 and Operation Permit No. 816009590-P04). DNR has made a preliminary determination that the application meets state and federal air pollution control requirements and that the permit should be approved. The permit application, the DNR's analysis and draft permit are available on the air permit page of the DNR Web site [<http://dnr.wi.gov/air/permits/permitsearch.html>] or from the DNR Bureau of Air Management, Seventh Floor, 101 South Webster St., Madison, Wisconsin, 53703; DNR Northern Region Air Program, Superior Area Office, 1401 Tower Avenue, Superior, WI 54880, tel. (715) 392-7989; and at the Superior Public Library 1530 Tower Ave. Superior, WI, or by contact Steven D. Dunn at (608) 267-0566 or by e-mail at steven.dunn@wisconsin.gov. This type of proposal normally does not have the potential to cause significant adverse environmental effects and the DNR has not prepared an Environmental Assessment of the proposal.

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This preliminary determination does not constitute approval from the Air Management Program or any other DNR sections which may also require a review of the project. Written comment on the application, or DNR's review of the application, should be sent by June 25, 2009 to: Wisconsin DNR, Bureau of Air Management, Box 7921, Madison, WI 53707-7921. Attn.: Steven Dunn. For information contact Steven Dunn at (608) 267-0566.

June 17 - A public hearing to provide information and receive public comments on the Pabst Farms Town Centre application and the environmental assessment for an air pollution control permit to construct an air contaminant source in the City of Oconomowoc, Waukesha County will be held from 12:30 – 2 p.m. at the Oconomowoc Community Center, Lower Level, 324 West Wisconsin Ave., **Oconomowoc**. DDR/Stonebridge Capitol Unit I LLC has submitted to the Wisconsin Department of Natural Resources an air pollution control permit application, including plans and specifications, for the construction and operation of approximately 1,074,000 square feet of commercial, retail, and office space described as the Pabst Farms Town Centre. The surface parking lots that will support the Pabst Farms Town Centre will have capacity to accommodate 5,300 vehicles. An air pollution control permit is required pursuant to Chapter NR 411, Wisconsin Administrative Code, as the proposed development will exceed parking space equivalency standard of 999 vehicles and is located in a Standard Metropolitan Statistical Area (SMSA). The DNR Bureau of Air Management analyzed information submitted by GRAEF, consultant to DDR/Stonebridge Capitol Unit I LLC, for the construction of the Pabst Farms Town Centre and supporting surface parking area and has preliminarily determined that the project will meet applicable criteria for permit approval as stated in § 285.63, Wis. Stats., including the ambient air quality standards for carbon monoxide, and should, therefore, be approved. The DNR has prepared an environmental assessment for this project, pursuant to Chapter NR 150, Wis. Admin. Code, which identifies the anticipated impacts of the project. DNR has made a preliminary determination that this proposed project will not have an adverse effect on the environment and an Environmental Impact Statement will not be required. This recommendation does not represent approval from other DNR sections, which may also require a review of the project. Information, including the applicant's plans and air quality analysis and the DNR's preliminary analysis and environmental assessment regarding this proposal, is available for public inspection at the Bureau of Air Management, Department of Natural Resources on the seventh floor of the Department of Natural Building, 101 S. Webster St., Madison. In lieu of, or in addition, written comments will be accepted from the public regarding the proposed air control permit and/or environmental assessment for the construction of the Pabst Farms Town Centre development. These comments will be considered in the final decision regarding this project. Written comments will have the same weight and effect as oral statements presented at the hearing. Interested persons wishing to comment on the preliminary determination and/or environmental assessment should submit written comments within 30 days of publication of this notice to: Wisconsin DNR, Bureau of Air Management, PO Box 7921, Madison, WI 53707. Attn: Mike Friedlander. For information contact Mike Friedlander at 608-267-0806.

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Meetings

June 16, 23 & 30 - The Wisconsin Department of Natural Resources and the Minnesota Pollution Control Agency will hold a series of community meetings to get input from citizens, businesses and local units of government on ways to improve the water quality of Lake St. Croix. Lake St. Croix, the lower 25 miles of the St. Croix River, is an impaired water body because of excess phosphorus. High levels of phosphorus in water can cause algal blooms that are harmful to humans, pets and our lakes, streams and rivers. Two sessions will be held each day, which will include a 20-minute presentation and a 10-minute question-and-answer period followed by small-group discussion. For information contact Kathy Bartilson of the Wisconsin DNR at 715-635-4053. Lake St. Croix Restoration community meetings will be held:

June 16, Forest Lake, Minnesota - Forest Lake City Hall, 220 N. Lake St., 3:30 to 5 p.m. and 6 to 7:30 p.m.

June 23, Frederic, Wisconsin - Frederic High School, 1437 Clam Falls Dr., 3:30 to 5 p.m. and 6 to 7:30 p.m.

June 30, Hudson, Wisconsin - Phipps Center for the Arts 109 Locust St., 4 to 5:30 p.m. and 6:30 to 8 p.m.

June 17 - The Green Tier Advisors will meet beginning with a luncheon at 11:30 a.m. and meeting beginning at noon in Room G-09 of the State Natural Resources Building (GEF 2), 101 S Webster St., **Madison**. The agenda includes a program participation status report; discussion of Potential for Registration Operation Permits for Green Tier Participants; legislation update and next steps; and annual Compliance Audit Report & Green Tier Biennial Report. For information contact Carla Wright - (608) 267-7407.

June 17 - An informational meeting on a proposal to designate as critical habitat portions of Lake Noquebay, Marinette County informational meeting on the proposal will be held at 6 p.m. at Village of Crivitz Hall, 800 Henriette Ave., **Crivitz**. The purpose of the meeting is to share information on these sites to ensure that they are properly classified. Areas of critical habitat play a vital role in protecting water quality, hunting, fishing, and natural beauty of Wisconsin's lakes and streams. Department of Natural Resources staff have made a tentative determination that specific locations in Lake Noquebay contain: 1) Fish and wildlife habitat, including specific sites necessary for breeding, nesting, nursery, and feeding; 2) Physical features that ensure protection of water quality; 3) Reaches of bank, shore or bed that are predominately natural in appearance (not man-made or artificial) or that screen man-made or artificial features; 4) Navigational thoroughfares or areas traditionally used for navigation during recreational boating, angling, or enjoyment of scenic beauty. The identified locations are eligible for critical habitat designation, and if approved, they will be afforded additional protection so that the health of the lake can be preserved. Critical habitat designation means that additional permit review and special permit conditions may apply to landowners who wish to alter the critical habitat sites through activities such as dredging, controlling aquatic plants, or establishing culverts, piers, and docks. More information about the program, and the draft report is available on the DNR Web site at: [<http://dnr.wi.gov/lakes/criticalhabitat/>]. For more information contact Andrew Sabai at (920) 303-5442.

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